

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Leisa V. Biggers Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

**F045712      People v. Vigas**

Cause called and argued by Robert D. Bacon, Esq., counsel for appellant. William K. Kim, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Thomas A. Harris, Associate Justice; and Leisa V. Biggers Clerk/Administrator, by Lisa J. Prosser, Senior Deputy Clerk.

**F045076      Kneis v. Kevakian; County of Stanislaus**  
**F045668**

Cause called and argued by Gregory Kevakian, appellant in propria persona and by Mary Dahlberg, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Dibiaso, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Wiseman, J.

**F046538      Ahmed v. County of Madera**

Cause called and argued by C. William Brewer, Esq., counsel for appellant and by Douglas W. Nelson, Esq., Deputy County Counsel, counsel for respondent did not appear.

Cause ordered submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F045844      Stewart Title of California et al. v. Voltsevits**

Cause called and argued by James D. Mayol, Esq., counsel for respondent and Angeliki Voltsevits, appellant in propria persona did not appear.

Cause ordered submitted.

Court recessed until Monday, September 19, 2005 at 10:00 A.M.

**F048274      People v. Mendoza**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F048185      Joe L. v. The Superior Court of Tulare Co.; Tulare Co. Health and Human Services Agency**

The petition for extraordinary writ is denied. The opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F048193      Veronica D. v. The Superior Court of Tulare Co.; Tulare Co. Health & Human Services Agency**

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044998      People v. Lamb**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE  
Court of Appeal of the State of California

IN AND FOR THE  
Fifth Appellate District

**F044998      People v. Lamb**

The fine imposed pursuant to section 290.3 is vacated, and the matter is remanded for further proceedings solely on that issue. In all other respects, the judgment is affirmed. Upon remand, the clerical error in item 8 of the abstract of judgment shall be corrected to show that appellant was sentenced pursuant to section 667.61, not section 667(b)(i) or section 1170.12. Ardaiz, P.J.

We concur: Harris, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F045358      People v. Cavazos**

This matter is remanded to the trial court with directions to rehear the motion for a new trial. If the motion is granted, the judgment is reversed. If the motion is denied, the judgment is affirmed except that a modified abstract of judgment shall be prepared as follows: (1) the sentence enhancements ordered pursuant to Health & Safety Code section 11370.2 shall be corrected to state that they are made pursuant to subdivision (a); (2) one of the four consecutive three-year terms imposed under Health & Safety Code section 11370.2 shall be stricken; and (3) one of the Penal Code section 667.5, subdivision (b), enhancements imposed upon defendant shall be stricken.

Wiseman, Acting P.J.

We concur: Cornell, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]